

24 APR 2008

SANDYMOUNT & MERRION RESIDENTS ASSOCIATION.ORAL HEARING
RECEIVED

Submission to EPA Oral hearing of License Application for the proposed Dublin
Waste to Energy Project. [Application Reg.no. WO232-01]

OH Sub No. 55

License provisions under Management

Recd From: Ms. Lorna Kelly

Condition 2,- 2.3.2.2.[p.9.]- schedule of environmental objectives and targets, the schedule shall as a minimum provide for a review of all operations and processes, including an evaluation of practicable options, for energy and resource efficiency, the use of cleaner technology, cleaner production, and the prevention, reduction and minimisation of waste, and shall include waste reduction targets."

The Licensee is Dublin City Council which has entered into some form of agreement with the private partner, Dublin Waste to energy company, which we have not seen. It is of public interest that we should be apprised of the terms of any proposed contract; in particular whether there is any "put or pay" clause and from where and how it is envisaged that any shortfall in the agreed maximum waste quantities from the municipal authority, that may arise as a result of the desired prevention and reduction of waste, will be compensated or provided for.

Condition 2.-2.1- page 8 of proposed license - The Local Authority, Dublin City Council suggests in its submission that this condition be altered to permit individuals with power plant experience, as distinct from 10years incinerator experience, to manage the proposed plant. This suggestion is completely unacceptable to us, particularly in view of the size and siting of the facility, - eg. its proximity to areas of special scientific interest, impacts on the Liffey waters and marine life, its impact on nearby residential areas, on Dublin Bay and the adjoining public amenity areas, and the serious implications of any plant failure or accidents.

Modern power plants using gas, oil, or renewal energy are, in our view, very different operations from incinerators, which depend upon the use of a wide variety of waste materials of differing composition, calorific values, and combustion rates in the burner. Incinerators require a skilled crane operator with a considerable knowledge of the materials he is mixing and a manager with equal or more knowledge of a wide variety of fuel waste material types and mixes. Unknown types of hazardous or explosive wastes will not be encountered in a conventional modern power plant. Inadequate controls in acceptance, inspection, and sorting of waste materials, and the consequent associated problems and risks, are always a possibility in incineration plants. These particular problems do not arise in modern power plants where the single fuel used at any one time is of known specification.

In addition the incinerator manager must also be in control of waste storage and the removal of hazardous waste materials not encountered in conventional power plants.

The housekeeping required in an incinerator to control dust within the plant is another issue

Condition 2.3.2.5. on p.9 raises further issues in view of the fact that Dublin City Council has a dual role as public partner in the project and as licensee. We believe that, under the circumstances, a conflict of interest could arise.

We are still being told that the contract is commercially sensitive. We find this difficult to appreciate, particularly in view of the fact that a number of incinerator companies give detailed accounts of income sources and other "commercially sensitive" issues in their annual reports. This is not a wholly private concern. The public partner is the citizen who may have to pick up the tab in the event of reduced supply of wastes or the temporary or permanent close-down of the plant, which could occur for a variety of reasons including the plant becoming unsustainable or unviable."

We still do not know whether the site is to be the subject of lease or license to the private company. A long term lease, even with certain provisions, does not guarantee that ownership issues will not arise after a period of time. A case in point is the former IGB site nearby.

Residual waste.

The definition of residual waste requires some clarification. Part 111 - Conditions of the proposed license 1.6 states "*Only residual wastes shall be incinerated at the facility*"

The precise types or categories of waste to be burnt appear to include some categories that are presently separated for re-use/recycling. We regret that in view of the wide range of categories applied for in the license we find it necessary to seek clarification of each particular individual type/form referred to in those license chapters and sections proposed to be thermally treated.

The new set of waste numbers supplied at this Hearing remains only a proposed alteration in the application unless or until the EPA decides otherwise. There is no guarantee at this juncture that sewage sludge, either from the WWTP or from septic tanks will not be burnt.

Monitoring of incoming wastes, particularly mixed wastes, is also of concern. [p.23-8.2.3.]

Sludge

The Planning Inspector's Report for An Bord Pleanala [p.146] refers to the "*confusion in the documentation in relation to the possibility of sewage sludge being incinerated in the plant*"

The Report states "*At the oral hearing Mr Twomey on behalf of Dublin City Council stated that the current application does not include an application for the incineration or burning of sludge. He stated that in the event of Dublin City Council*

wishing to use the facility for the incineration of sludge a separate application would be made"

The Board Direction dated 19th November 2007 states [note 2] "The Board omitted Condition No.2, as recommended by the Inspector, as the application does not include proposals for the acceptance of sewage sludge at the facility or for the treatment of ash other than by export."

In spite of the above, the application license both in the waste categories listed and in Schedule C [C4.1. on page 49] includes proposals/provision for the burning of sewage sludge from the adjacent WWTP and from septic tanks.

License Condition 7 - Resource use and Efficiency.

The Inspector's Report of the oral hearing of the Planning Appeal refers to the potential for developing a district heating scheme allied to the proposed incinerator under the heading of "Community Gain". - "I am sceptical however as to whether this item can be considered to be of any significance in terms of community gain in the absence of a definitive scheme for the provision of such a heating system."

The introduction to this proposed license states "This license is for the operation of an incinerator to burn non-hazardous waste and to recover energy in the form of steam and electricity....for export to the national grid at Pigeon House Road, Poolbeg"

There is no mention of a district heating scheme.

We submit that both the An Bord Pleanála planning decision,[condition 10,] and condition 7 - 7.1 of this proposed license [in regard to provision of detailed design proposals in the proposed incinerator, and for publication of a feasibility study, for a district heating scheme dependent upon an incinerator at Poolbeg] appear to us to offer a means of influencing or pre-empting future land use zoning, planning applications, procedures and decisions.

[An Bord pleanála condition "The detailed design of the proposed facility shall make provision for the future development of a district heating system. Within 12 months of the date of this order Dublin City Council shall carry out and publish the results of a feasibility study into the future development of a district heating system to avail of excess heat from the proposed facility and any other waste heat in the Poolbeg Peninsula area."

License condition - "The licensee shall prior to the commencement of activity and having regard to the principles of BAT, submit proposals for agreement by the Agency for the operation of the facility in Combined Heat and Power mode with a view to providing heat for a district heating system."]

The above statements give the impression that no detailed proposals or EIS for such a scheme exist which have regard to the probable issues and/or problems that could arise in regard to land use and construction effects on the surrounding environment, nor

have they been a part of the application for this proposed incinerator. It now appears that feasibility studies have taken place "behind the scenes" that are not in the public arena and on which no public discussion or consultation has taken place. It appears to us that there is a distinct possibility that planning and zoning decisions have been, or are being influenced on the basis of a scheme and agreements with some developers, and which are not in the public arena, for the supply of heating from this particular proposed facility.

There have been press reports to the effect that agreements have been made or signed with interested developers to use district heating from this incinerator in advance of the oral hearing into the licensing of the plant. It has been also stated at this hearing that discussions and agreements, either verbal or written have occurred with developers of sites in Spencer Dock, the Port area and the Jury's site in Ballsbridge.

We have not seen any details of the proposed underground piping for the system either within or without the site.

Potential for combined heat and power can be applied to any incinerator wherever it is sited. It does not apply solely to a facility on the Poolbeg. We have some reservation as to whether it is part of the duties of the licensing or planning bodies to assist the promotion of such a scheme in the present circumstances.

Ms Ria Leyden in her evidence agreed that on balance a district heating system associated with the Poolbeg incinerator would have very little impact in reducing green house gases associated with climate change.

Air Emissions.

In the granting of a license for emissions to air we suggest that it is the cumulative effects of all developments in the area, taken together with the overall capacity of the receiving environment to assimilate them, that should be the main consideration, rather than whether or not further additions would significantly increase effects on the existing environment.

An Bord Pleanala's Inspector stated on p.127 of his report "I consider that irrespective of the proposed development and particularly if additional mixed use development with a significant portion of residential development is to be constructed in the vicinity efforts will have to be made in the future to improve the air quality in the area".

"Having regard to the existing air quality any predictions to the effect that when the emissions from the plant are added to the background levels air quality limits would not be exceeded, do not reflect reality, as indications are that the limits are exceeded in some cases when considering the background levels alone."

Source controls alone can allow a cumulative pollution load seriously detrimental to the environment wherever there is a concentration of pollution sources and emissions to air or water are involved.

EPA website quote "Ozone is also found in the troposphere, the layer of the atmosphere next to the earth, where it is produced from the reaction of sunlight with volatile organic compounds and nitrogen oxides. Exposure to high concentrations of tropospheric ozone causes chest pains, nausea and coughing in humans. Long term exposure to moderate concentrations of ozone causes a reduction in lung capacity and can worsen heart disease, bronchitis, emphysema and asthma. Tropospheric ozone contributes to the greenhouse effect and subsequent global climate change".

"Nitrogen dioxide is known to affect the throat and lung. It is also aesthetically unpleasant as it has a brown colour and gives rise to a brown haze" [www.epa.ie]
See photograph taken from Irishtown nature park.

Mr Hawkins made a passionate submission in regard to the airborne dust in the area with which we fully agree. Residents of Sandymount, Merrion, Irishtown and Ringsend as well as workers in the surrounding areas on the Poolbeg are subjected to dust clouds daily.

The existing circumstances [as referred to in the above paragraphs] are sufficient reasons in themselves for the refusal of any license for this development in the Poolbeg area.

Environmental Responsibility and siting

It may be argued that in issuing a license the EPA does not have to take siting considerations into account. We would argue that any such approach would be mistaken; that the EPA is obliged to have regard to the European Commission's advice on incinerator site selection and air quality status in the area before it considers issuing a license. We would also argue that the licensing authority is constrained to give serious consideration to all EU Directives including the Water Framework Directive.

Pages 102 and 103 of the Inspector's Report for An Bord Pleanála state "I note however that issues such as air quality at the various locations does not seem to have been factored into the site selection criteria [paragraph 4.2.42 of the EIS notes that in the European Commission's advice on site selection and incineration, air quality status of the locality and impact on other polluters in the area are major factors to be considered"]

"It could be argued that the site selection study should have been totally reviewed when the EIS was being prepared"

We would concur with this statement. The primary reasons for not undertaking a full and complete review of site selection would appear to be haste and reluctance.

Referring to the site selection process in the third paragraph on page 103 the Inspector says "Overall I consider that a reasonable site selection process has been engaged in. This does not however ensure that the most appropriate site or even an appropriate site has been identified when issues are looked at in detail".

"The assessment indicates that the assimilative capacity of various environmental media will be at or close to 100% with the facility in place. This derives to a large extent from the existing conditions in the area. [page 155]"

The heavily industrialised nature of the Poolbeg peninsula and the existence of a number of chimneys has been referred to, both at this and the An Bord Pleanála hearing, as justification of the choice of site. The conditions in this area are the result of planning decisions being granted for dirty industries on the same basis, resulting in environmental destruction and poor air quality. [There are already four cement operations, two power plants and the Ringsend WWTP, with a proposal to increase the size of the WWTP, on the Poolbeg]

The industry zoning, [on this land that is a waste dump on a public beach that at the time was zoned as an area of High Amenity with the view to the making of a SAAO] derives from its part use by the Port Company. At the time imports included large quantities of flour, timber etc that needed storage space in the port prior to LO-LO and RO-RO methods of cargo movement. Hibernian Molasses which has been relocated elsewhere on the peninsula imports its raw material by pipeline from the quays.

We would argue that it would be at least premature for the EPA to grant any waste license for an incinerator on the Poolbeg Peninsula under the circumstances. In the final analysis we believe that when all issues are taken into account, in particular air and water effects on human and environmental health, the Poolbeg Peninsula does not have the environmental capacity to assimilate any further development.

Construction Related Impacts.

We note that it is not proposed to consider the environmental effects of construction of the seabed insertion, and the use of the temporary construction area to the south west for a period of years, - both of which are outside the main plant site, - when considering the granting of a license. See comment regarding class 10 of the license application for release of waste into a water body [including a seabed insertion] "*Reason: The discharge of cooling water is a normal and integrated step in the facility technical processes and is not an independent waste treatment process for wastes imported to, or produced on, the site*"

I do not intend to repeat the arguments against this approach which have already been made during this Hearing. However, I would add that since effects on these two areas, which lie outside of the compulsory purchase site, are not to be considered under the Planning and Licensing laws neither can it be taken for granted that permission for use of or construction in either of these two areas exists. [No planning application has been made for use of or construction in these sites]

It is accepted that cooling water discharged directly from a facility into a river, stream, lake or sea would normally be considered to be part of the operation and licensing of the facility. The construction of a trench and pump house on a foreshore at some remove from the facility site should in our opinion either be fully considered in the

planning and licencing processes or be the subject of a separate application for all permissions.

Doubts about the impact on the Liffey fish life in relation to proposed reclamation works by Dublin Port Company were expressed by a Mr. Con O'Ruairc in a letter of September 1998 to Dublin Port Company.

Ecological Impacts.

Mr. Brendan Price has already provided information on our behalf to the Hearing in regard to the Liffey outfalls and impacts on the salmonid species. Similar reservations about the lack of surveys and information was also expressed in the letter from a Mr. C O'Ruairc of the Coastal Zone Administration Division of the Department of the Marine in a letter dated 7th September 1998 to Dublin Port Company when the possibility of reclaiming 22ha in the centre port area was first raised.

Pages 122 to 124 inclusive of the An Bord Pleanala Inspector's report underline the lack of survey data and the significant potential to impact on aquatic ecology which the proposed incinerator has.

Mediation measures limited to screens to prevent the entrainment of fish and a choice between two biocides do not address the main fundamental issues.

Among the objectives of the Water Framework Directive it is stated;-

*To prevent deterioration in, protect and enhance, the status of aquatic ecosystems [and terrestrial ecosystems and wetlands directly dependent on aquatic ecosystems]

*To provide for enhanced protection and improvement of the aquatic environment by reducing/phasing out of discharges, emissions and losses of priority substances"

Dr. Montanari, Ph.D. showed the startling effect of microparticles in air emissions on a foraminid during his presentation.

Ms Eleanor Mayes agreed that marine invertebrates which are the food of some wildfowl can accumulate certain substances present in emissions, leading to bioaccumulation in bird species.

Mrs. Corr pointed out that some molluscs e.g. periwinkles, are eaten by humans who are also capable of bioaccumulating damaging pollutants.

Our evolutionary immune response is geared to respond reasonably effectively to biological invaders of our cells not to inorganic particles from either air or water

We suggest that these are all reasons for refusing the grant of a license for the proposed incinerator.

Birds.

Eleanor Mayes stated correctly in her evidence that all birds are protected under the EU Directive, not just one certain species of wintering wildfowl. Pale-bellied Brent geese are not the only protected species of both wintering and summer birds using the

lands to the south east, south and south west of the incinerator site. Their land use is, and was not, confined to nor fully catered for by the "compensatory" grassland to the south east which was provided later, solely in compensation for the area lost to them in the sewage plant site.

Ms Mayes also stated that the Geese were not affected by the construction of the WWT plant. Personal observations are that that particular statement is inaccurate, being based only on the aggregate numbers of birds present in the whole Bay area. There were no separately recorded counts for the different areas. [Birdwatch counts were aggregate numbers]

The temporary habitat provided in the grounds of the ESB Poolbeg station was never used by them for the simple reason they were unable to fly in and out because the surrounding trees hampered their flight path.

A number of people in the Sandymount and Merrion area had the unpleasant experience of finding dead and dying starving birds.

Monitoring of the compensatory grassland between the WWT plant and Irishtown Nature Park for one avian species is not likely to give a complete picture of the construction impact on wintering and summer protected species, because the original baseline survey is incomplete and because only wintering birds are being counted in one part of the area, i.e. the area south east of the site.

Biodiversity.

Since the An Bord Pleanála hearing Dublin City Council has published its Biodiversity Action Plan 2008-2012. The National, European and International legislation and Agreements to which we believe the EPA must have regard in considering the issue of a waste license are listed on pages 46 and 47.

Page 48 describes London Rocket [Sisymbrium irio] as an extremely rare plant in Dublin. It exists on lands adjoining the incinerator site.

Pages 51 and 52 refer to the Sandymount Strand SPA list some of the waterfowl for which it is listed. A number of these birds use and need the proposed construction site as part of their habitat.

Among the land birds of conservation interest a number of species using the lands adjoining the incinerator site are listed on pages 55 and 56.

Among the Red Data Book selected invertebrate groups are butterflies moths and bees listed for further surveys and monitoring. Irishtown Nature Park hosts two uncommon species of bee, *Bombus muscorum* and *Bombus lapidarius* as well as the greatest variety of butterfly and moth species in Dublin. These species are as vulnerable to changes or deterioration in their environment and loss of habitat as we are.

We reiterate that in considering whether to grant a waste license for this facility the EPA consider the cumulative effects of developments on the Poolbeg peninsula.

Pages 30 and 31 [mammals and fish and fish, amphibians and reptiles] include references to seals, harbour porpoises and salmonid species referred to by Mr. Brendan Price.

Mrs Cavendish, a biologist, who is also Secretary of our Association, has drawn my attention to the fact that the River Dodder is also listed as a sea trout river and pointed out that this species could only enter the Dodder from the Liffey. [There is no direct connection between the Dodder and the sea.]

Both the rivers Liffey and Dodder are also EU Habitats listed under Annex 11 and Red Data Book listed [1] for River Lamprey [*Lampetra fluviatilis*]

Climate Change

Predictions for the east coast of Ireland [studies by John Sweeney et al in Maynooth] predict heavier winter rainfall and dryer summers, - increased storm events and drought conditions.

Incinerator water demands are high, 400,000t. The EIS accepts that even when maximum permitted extractions of water from the Liffey and grey water use are taken into account there is a large shortfall that will have to be met from the mains supply. Preliminary feasibility studies into the transport of water from the Shannon to supply the future needs of Dublin citizens are in train. In drought conditions the facility would be making higher demands on a mains supply at the expense of essential water for human use.

The capacity of the existing sewage plant at Ringsend is at maximum, particularly during storm events. During drought conditions the quantity of accessible grey water would be reduced as would the dilution factor of Liffey outfalls.

Monitoring

Under condition 6 and its subsections this appears to be "after the event" or after commissioning monitoring - a most unsatisfactory situation. e.g. Paras 6.17 and 6.18 refer to toxicity testing of effluent to sensitive aquatic species yet there does not seem to be any satisfactory suggested means of dealing with or preventing negative impacts on those species.

Surveys [condition 6. 6.19] for example are to be undertaken after the commencement of operation. Even if dead or moribund species were to be found there is no guarantee that the facility would be closed down.

The inadequacies of waste and residue inspection and testing have already been emphasised during this hearing as has the serious lack of information in regard to the disposal of ashes and flue gas treatment residues. We have found nothing of comfort in either the application, proposed license conditions or in evidence given during this hearing to allay our fears of the consequences should a license be granted.

Enforcement, or lack of, national and EU legislation on the Poolbeg peninsula is a continuing problem which we are constrained to deal with at the expense of our own time and money. We have no reason to believe that the situation will be any different if a license is granted for this incinerator.

Proposed development on the Poolbeg peninsula

This was raised by a number of participants in the hearing in relation to the siting of an incinerator nearby. A diagram was produced by Mr Maurice Bryan of the Poolbeg proposals for a "flood barrier" We would draw attention to the, obvious, fact that should any barrier be constructed for any purpose across Sandymount Strand or the Bay it will be necessary to relocate all outfalls within the impounded area.

Lack of real consultation has been expressed as a grievance in regard to the proposed incinerator. For our Association there is a double grievance in that there has been no consultation whatsoever either before or since the passing of the section 25 Order for DDDA. Some years ago a meeting did take place, at our instigation, with DDDA regarding the Master Plan, which we became aware of after it had been made, at which we were told we would be consulted if and before a section 25 Order was contemplated. The greater part of the Poolbeg peninsula lies on Sandymount Strand, yet we have been deliberately excluded from any say in plans and decisions that seriously affect our area.

Lorna Kelly

Lorna Kelly p.p. Sandymount and Merrion Residents Association,
[23rd April 2008]

For inspection purposes only.
Consent of copyright owner required for any other use.

September 1998

Our Ref: MS 51/4/318

Mr J J Killeen
Financial Controller/Secretary
Dublin Port Company
Port Centre
Alexandra Road
Dublin 3

Dear Mr Killeen

I refer to earlier correspondence concerning your request for the consent of the Minister under Section 10 of the Foreshore Act 1933 to your proposal to reclaim an area of approximately 21 hectares.

I previously advised that the matter had been referred to the Department's specialist advisers for examination. Most of the advisers concerned have furnished observations and it is proposed to have the matter discussed at a general meeting to be held on 23 September 1998.

Among the points raised are those listed in the following paragraphs which would indicate the necessity for further information.

- The River Liffey is an important river for migrating fish such as salmon, sea trout and eel. The impacts on these species have not been adequately dealt with. While there are precise figures quoted for salmon, no information is given for eels and the sea trout numbers are described as "small". It is not clear what data was used to establish size of the sea trout population. This section needs to be substantiated. The impact on these species and plans to minimise the impacts during the reclamation works should be addressed i.e. would it be necessary to carry out construction work outside the period of the smolts run.
- The cooling water discharge from the ESB station is discharged directly opposite the proposed works. The plume from this discharge increases the temperature of the surface water considerably. In some situations this plume stretches well across the channel to the area that it is proposed to reclaim. If this proposal goes ahead the hot water plume could span the river. As smolts tend to stay at the surface as they migrate down the river a hot water surface plume across the river could form a physical barrier to migration. This should

78
45/120

be fully addressed in the EIS. Information on the extent of the plume under different conditions can be obtained from the ESB.

- There is a need for a clear statement on the likely impact this development will have on the current dredging regime. Will this proposal increase, decrease or have no significant effect on the quantity of dredge spoil that will require to be disposed of during maintenance dredging.
- The type of bunding to be used to prevent loss outside the area will depend on the source of the infill material that will eventually be used. The report states that if dredge material is to be used it will be obtained from selected sites. The quality of this material will have a bearing on the precautions that should be in place to prevent its release. The material from Alexandra Basin may not be suitable for this purpose. The quality of the sediments in the Tolka will also need to be established, particularly those sediments that will be removed for access to the Clontarf Yacht and Boat Club.
- Dublin Port Company indicate that the proposed area could be filled hydraulically with material pumped from selected sites. No details are given, however, of the likely quantities involved or the location of the sites from which material would be pumped. The impacts of this proposal have not been addressed. Further information is required.
- Further information is also required on the boom to be placed at the southern end of the proposed reclamation site.
- The above proposal appears to constitute "development" under the planning Acts, please indicate if Dublin Port Company have applied for planning permission for this project and of the current status of their application.

It would be appreciated if you would furnish the required information as soon as possible, preferably in good time before the meeting to be held on 23 September 1998 with a view to progressing consideration of your request.

Yours sincerely

C O'Ruairc
Coastal Zone Administration Division

Planning board seeks Ringsend sewage plant report

26/3/08
Tr T.

OLIVIA KELLY

AN ENVIRONMENTAL report on plans to extend the modern sewage treatment plant at Ringsend has been ordered by An Bord Pleanála, on grounds the project would be "likely to have significant effects on the environment".

The board has directed Dublin City Council to prepare the environmental impact statement (EIS) in advance of the council's submission of a planning application to extend the plant.

The council has already told the board the extension will have greater visual impact than the original plant and "odour" was likely to be a contentious issue with any development of the facility.

The council has for several years intended to extend the plant, which currently processes the sewage of the equivalent of 1.9 million people, to a capacity of 2.2 million and possibly greater, but has had to delay because of a foul odour problem which has persisted since the plant opened in 2003.

Last December, city manager John Tierney said the odour prob-

lem would be eliminated by July, which would allow the plans for the extension, likely to cost in excess of €50 million, to proceed.

The council wrote to An Bord Pleanála late last year stating that it believed an EIS would be required for the development.

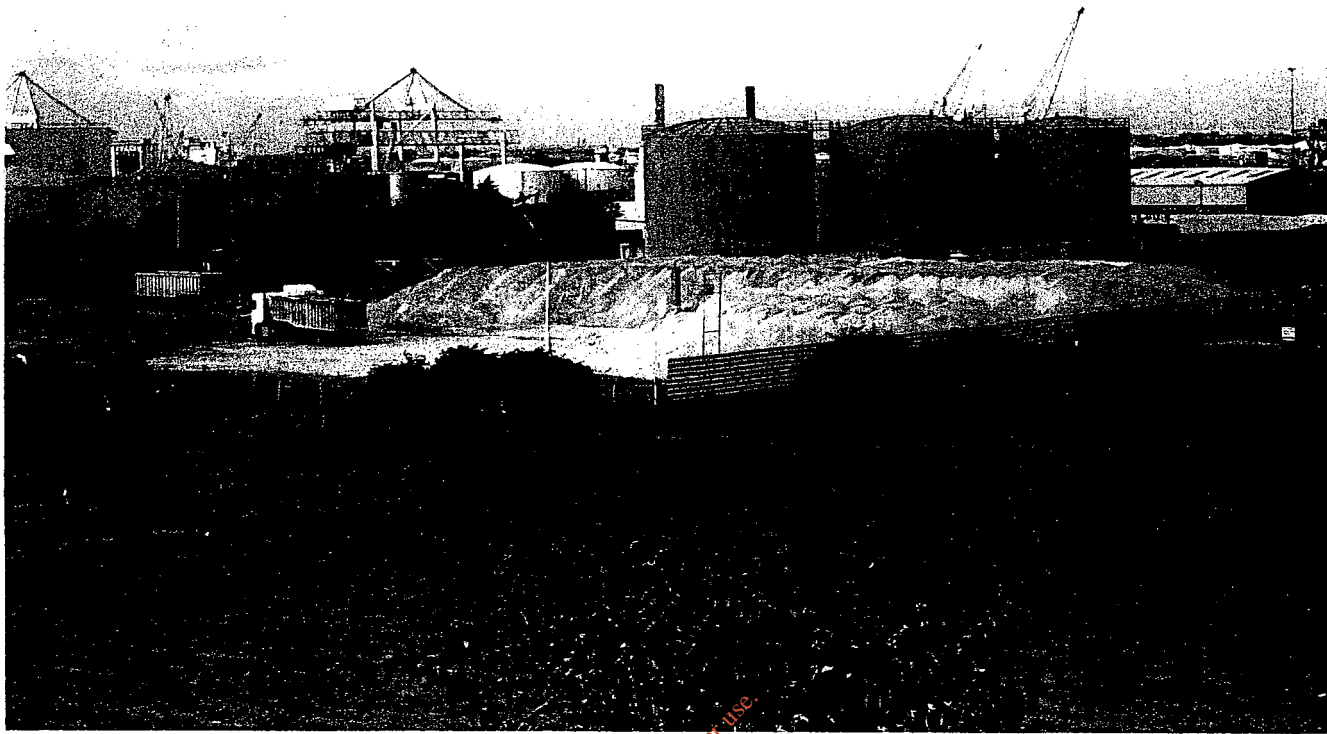
In its submission, it said there would be a "higher degree of visual impact" than had been the case with the original sewage plant because there would be an intensification of facilities on the same site. The submission also states that odour control has been a major issue with the existing plant and would be one of the most contentious aspects of the proposed extension.

In his report, the board's inspector said the council could have conducted an EIS without asking the board, but he said it was his recommendation that an EIS should be prepared.

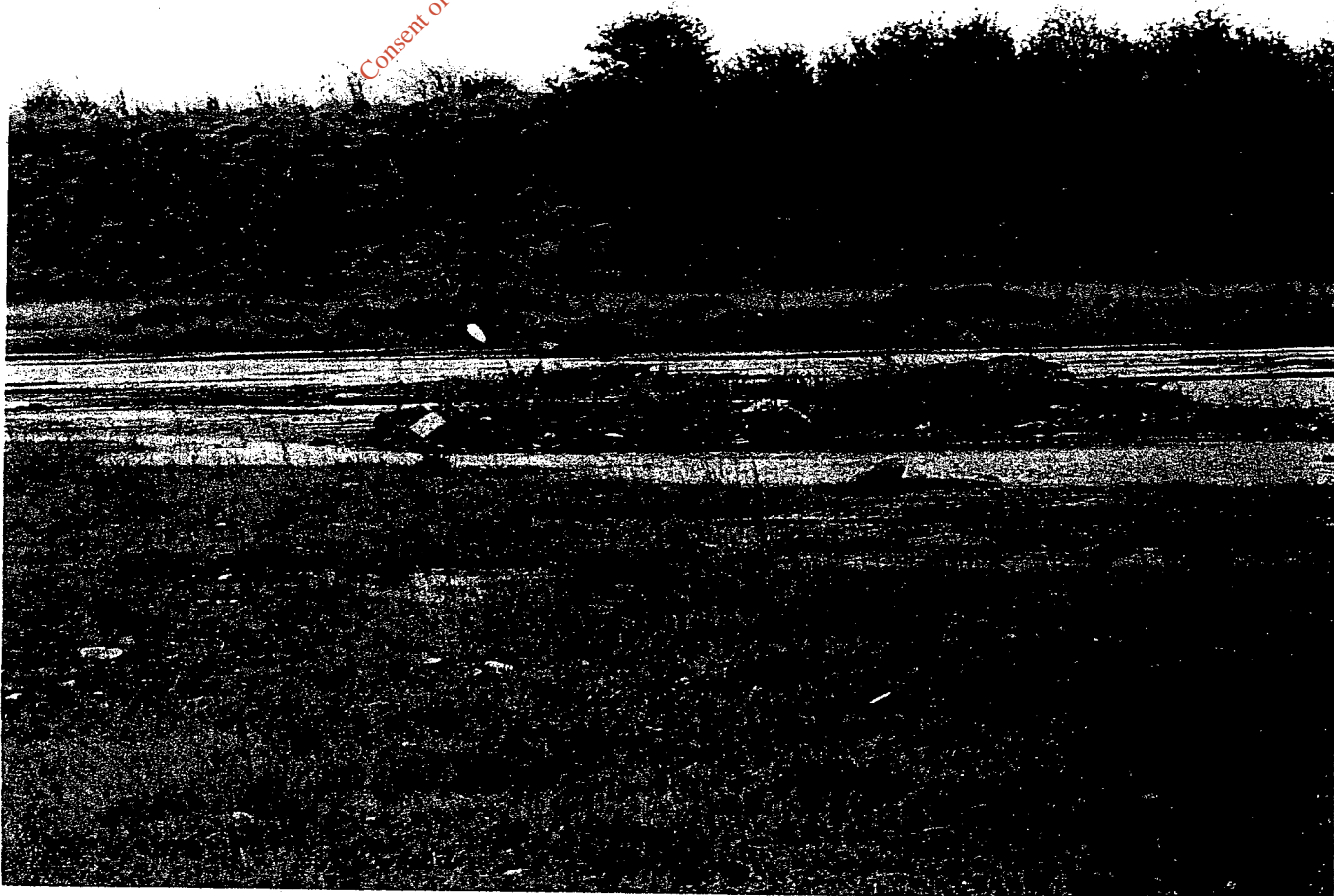
The development was likely to have significant effects on the environment because of its size, capacity and "other cumulation effects including that of the adjoining waste-to-energy facility [Poolbeg incinerator]".

Animal rights group calls

For inspection purposes
Consent of copyright owner required



For inspection purposes only.
Consent of copyright owner required for any other use.





For inspection purposes only.
Consent of copyright owner required for any other use.

Dublin Bay Project

Meeting of Local Liaison Group Ringsend held on the 28th June 2001 in the A.B.A. Site Offices, Pigeon House Road, Dublin 4 @ 3pm.

Attendance

From Dublin Corporation

Mr. C. Lowe
Ms. N. Keane

From MC O'Sullivan

Mr. R Fisher

From Pierse McAlpine

Mr. A.E. Carson

From McCarthy Acer

Mr. J. Henham Barrow

From ESB

Mr. P. Smith

From A.B.A.

Mr. R. Dun

From Dublin Port Company

Mr. C. Murphy

Also in Attendance

Ms. C. Cavendish, S.A.M.R.A.
Ms. L. Kelly, S.A.M.R.A.
Mr. F. Corr, Ringsend Combined Residents Associates.
Mr. E. Byrne, R.R. F. & L. Boat Owners Association
Mr. D. Flanagan, R.R. F. & L. Boat Owners Association

1. Minutes of meeting held on the 31st May 2001.

Agreed

2. Matters arising:

Ms. Kelly indicated that dumping of spoil and other substances was taking place near the Campus Oil facility. Mr. Lowe to arrange for an on site meeting to be convened a.s.a.p. between ESB (ref. P. Hayes), Dublin Port Company, Corporation (D. Molphy) and representatives of residents associations. It was noted that fencing has been improved at an outfall. Parking of cars past ESB had not improved. Mr. P. Morley to contact Traffic Division. Work had started on clearing Sandymount Strand. Dollymount currently in good condition. Boat Owners Association now receiving documentation on dredging.

3. Progress Report – Ringsend Wastewater Treatment Works.

Mr. Dun indicated that the piling had recommenced and will last for a few more weeks. All demolition work now complete. Workforce will be scaled down in September.

4. Comments and discussions

None.

5. Submarine Pipeline – Progress Report

Mr. Fisher outlined the proposals for the construction of the pipeline.

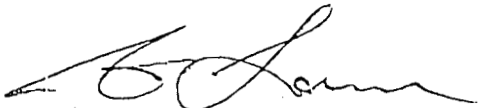
Welding completed. Concrete coating completed. Works to protect gas pipeline completed. All dredging nearly completed to facilitate pipelaying from 22nd July 2001.

6. Comments and discussions

None.

7. Any Other Business

- (a) Ms. Corr referred to heading on article in Sunday Tribune re burning of sewage in proposed Thermal Treatment Plan. Mr. Lowe indicated that heading on article was completely at variance with contents of article.
- (b) Mr. Lowe indicated that he had arranged for Mr. J. Collins of Drainage Division to discuss with Ms. Kelly the drainage of pitches at GAA club – letter had been sent to ms. Cavendish clarifying position. Mr. Morley to enquire from GAA Club as to their future plans re all weather pitches
- (c) Mr. Morley to investigate setting up group to examine condition of roads, verges etc from roundabout onwards - progress report for next meeting.
- (d) Date of next meeting is 26th July 2001 @ 3pm.



C. LOWE
ASSISTANT PRINCIPAL OFFICER

(106)

E.J. S.

80% sand.

1st October, 2001

Mr. Matt Crowe,
Environment Protection Agency,
P.O. Box 3000,
Johnstown Castle Estate,
Wexford.

AN ROINN COMHSHAOL

AGUS RIALTAIS ÁITIÚIL

DEPARTMENT OF

THE ENVIRONMENT AND

LOCAL GOVERNMENT

TEACH AN CHUSTAIM

BAILE ÁTHA CLIATH I

CUSTOM HOUSE, DUBLIN 1

Tel No: +353 1 888 2000

LoCall No: 1890 20 20 21

Fax No: +353 1 888 2888

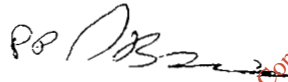
Dear Mr. Crowe,

I enclose for your attention correspondence the Minister has received from Mrs. Cavendish, Secretary of the Sandymount and Merrion Residents' Association concerning alleged gross pollution of the River Liffey through the Water Cooling Barrage at Ringsend.

I also enclose previous papers and correspondence with Dublin Corporation on this matter.

Please arrange to investigate this alleged pollution with a view to providing a report on this complaint to the Minister as a matter of urgency.

Yours sincerely,



Mary O'Brien
Water Quality Section
Tel. 01-8882471
Fax. 01-8882014
E-mail.marym_o'brien@environ.irlgov.ie

cc. Mr. Larry Kanvanagh, City Manager, Dublin Corporation and Ms Cavendish

Ena

From: "ena cavendish" <ecavendish@oceanfree.net>
To: <marym-o'brien@environ.irlgov.ie>
Sent: 06 October 2001 23:37
Subject: pollution of the River Liffey through the Cooling water channel of Ringsend Power Station, Synergen/ESb

6 October 2,001,
6 Prospect terrace,
Marine Drive,
Sandymount,
Dublin 4.

Ms. Mary O'Brien Water Quality Section
Department of the Environment,
Custom House
Dublin 1.

Dear Ms. O'Brien,

Thank you for your letter of October 1st 2,001, is there an error in your response? Surely a letter to the Environmental Protection Agency was issued in response to my letter to Jerome Flanagan of February 24th 2,001 ??

The water way in question has undergone a massive and expensive cleanup since July 3rd 2,001, with the temporary dam constructed on June 29th 2,001 in the Hot Water Channel still in place, the E.P.A. will find little pollution now.

The pollution in question has been seen by many people including Cllr. Chris Andrews F.F. , Cllr Gerry Breen F.G., Claire Wheeler, Green Party, Mr. Charlie Murphy, Dublin Port, Kieran Callan, Harbour Master, Mrs. Frances Corr, Sec. Bath Avenue Residents' Association, Mrs Lorna Kelly, Environmental Officer, Sandymount and Merrion Residents' Association, Ms. Nessa Kane of Dublin Corporation, Mr. Brian Dolan and Mr Arne Haines of Synergen; I could go on. A question to the City Manager was tabled by Cllr. Cuffe for the September meeting of the Council. The pollution of the Hot Water Channel has been discussed at the **Dublin Bay Project** monthly liaison meetings with residents' associations and the local boat club, and the men engaged in the 'cleanup' had to be vaccinated .

A meeting with the representatives of the above residents' associations about this pollution was held in the Synergen office on the Poolbeg at 2. p.m on July 9th, present were Brian Dolan and Arne Haines as well as the workers from Irish En-Co.

A application for a car de-polluting plant was made to Dublin Corporation on September 9th 2,001, by Hammond Lane Metals, this was for the construction of holding tanks for coolants, oil, brake fluid, petrol and other liquids, presumably the acids we saw running out of a three inch white vinyl pipe behind Hammond Lane metals. They had no holding tanks then and they do not have I.P.C. License. They, Hammond Lane Metals do not have a fire certificate even though there was a huge fire there on 11th March 2,000 .

The residents association now holds 23 packets of prints of this place in Dublin Port. Mr. Tom Burke, Assistant Principal Officer and Pollution Officer of the Department of the Marine was notified in person by Mrs. Lorna Kelly and me on June 7th 2,001, we gave him photographic prints which he copied, he reported the matter then to Mr. Collins of Dublin Corporation, there was a huge leak into the Channel from Campus Oil as well as sewerage from "Rock Events" tenants of St. Catherine's Hospital which is the Property of Green Property Company.

The City Manager described the Liffey as a sewer in an Irish Times Supplement on 6th June 2,001. (I can send you a copy) . As he is the Supremo in Dublin he is bound to be correct.

Yours faithfully,
Catherine Cavendish

05/09/2006

ena

From: Ciarán Cuffe <ccuffe@indigo.ie>
To: ena cavendish <ecavendish@oceanfree.net>
Sent: 27 November 2001 14:07
Subject: Re: St. Catherine's Hospital, Pigeon House Road.

Catherine,

South east Area Committee Dublin Corporation Item 512 Motion from Councillor Ciarán Cuffe:

"That the Manager give a full report on the making of private connections for sewerage to the storm water pipes on the Pigeon house Road , and from there to the Hot Water Cooling barrage of the ESB's Ringsend Power Station. In his Report the Manager shall list all the applicant's names and dates of connection.

Report:

there are only two premises which are still connected to the ESB Cooling water channel. The owners of these premises have lodged applications for re-connection to the sombined sewer in pigeon House Road as follows:

9/7/01 84E Pigeon House Road
SBS 13 Gardiner place, Dublin 1

14/8/01 85C pigeon House road
Mrs. A. Kavenagh

These applications are being examined at present and a decision will issue in due course

C. Lowe
Senior Executive Officer"

"Could the Manager state whether an Environmental Impact Statement and Foreshore License is required by Clanna Gael Fontenoy for the proposed resurfacing and drainage works at Sean Moore Park in Sandymount?

Reply

The drainage works at Sean Moore Park will not result in any discharge onto the foreshore. therefore a Foreshore License is not required from the Department of the Marine

An Environmental Impact Statement is not required as the works are essentially an upgrading of the drainage of the football pitches and do not impact directly on Dublin bay"

I hope that this information is of use.

Ciaran Cuffe

27/11/01

3/125
FORESHORE ACT, 1933

91

Foreshore Act, 1933.

10.—(1) No person shall erect on any tidal lands not belonging to Saorstát Eireann any building, pier, wall, or other permanent structure otherwise than in accordance with maps, plans, and specifications approved of by the Minister.

Erection of structures on foreshore.

(2) The Minister shall not refuse to approve under this section of any maps, plans, and specifications on any ground save that a structure erected in accordance with such maps, plans, and specifications would be or would cause or be likely to cause (directly or indirectly) an obstruction to navigation or to fishing or would have or be likely to have adverse effect on the environment.

(3) Whenever any structure is erected in contravention of this section and the Minister is of opinion that such structure is or causes or is likely to cause (directly or indirectly) an obstruction to navigation or to fishing, the Minister may serve on the person by whom such structure was erected or, if such person is dead or (if a corporate body) is dissolved or if such person is not known or cannot be found, on any person in possession of such structure a notice in writing requiring such person to pull down and remove such structure within such time (not being less than one month) from the service of such notice as the Minister shall think proper and shall specify in such notice.

(inserted by S.I. 349/87)

(4) Whenever a person on whom a notice has been served under the next preceding sub-section of this section fails to pull down and remove the structure to which such notice relates within the time specified in that behalf in such notice, the Minister may (as the case may require) pull down and remove or complete the pulling down and removal of such structure or cause (as the case may require) such structure to be pulled down and removed or the pulling down and removal thereof to be completed and (in any case) shall be entitled to be paid by and to recover from the said person on whom the said notice was so served the costs and expenses of such pulling down and removal or completion (as the case may be) as a civil debt in any Court of competent jurisdiction.

For inspection purposes only.
Consent of copyright owner required for any other use.